

endured by the Applicant in the filing of repeated amendments and the Appeal only to have new and continual additional references cited in rejection of the present claims.

With respect to each of the independent claims remaining for Appeal, Applicant notes that the “retaining means” comprises “a flap of flexible material integrally formed with and extending from said first edge of said body”. Independent Claim 22 indicates that the body has “a flap of flexible material integrally formed with and extending from one edge of said body”. Applicant respectfully contends that the new prior art references, individually, or in combination, do not show a limitation.

The DiSalvo patent relates to a device for closing an air bag compartment. This device includes a closing panel 10 placed on the opening of the compartment and articulated on one side with the aid of hinge mechanisms. The side opposite the side of the articulation has a weakened zone which can break off under the pressure exerted by the air bag when it is deployed. As shown in FIGURES 2 and 2a of this patent, the DiSalvo patent discloses a support layer 38 in the area of this weakened zone. This support layer 38 defines a housing 50 for a brittle longitudinal retaining mechanism 48. This retaining mechanism makes it possible to lock the closing panel 10 in a closed position and has grooves 60 defining a breaking line. Thus, under the action of pressure exerted by the air bag, the retaining mechanism 48 is separated from the panel 10.

In the rejection of the claims on Appeal, the Examiner has indicated on pages 3 and 4 that:

DiSalvo, et al. teaches an air bag deployment opening having a support layer 38 integrally formed with the first edge of the body 12. Based on the teaching of DiSalvo, et al., it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the flap of Rhodes, Jr. to be integrally formed with the first edge of the body to provide strength and support for the flap.

As such, the Examiner contends that the support layer 38 corresponds to the piece of textile material 12 provided in the area of the hinge of the present invention.

Applicant respectfully disagrees with this analysis. In the DiSalvo patent, the support layer 38 cannot be flexible since it acts as the structural support for the longitudinal retaining mechanism 48. This structure was recited in column 4, lines 56 - 64, as follows:

The recess 50 is defined by an overlying lip portion 52 of a projection web 54 integral with the structural support layer 48 forming a part of the instrument panel 12. A shoulder 56 is formed in the core body 14 adjacent the tab 48 which rests on the structural panel 38 to support the same. The tab 48 is relieved to provide a clearance space 58 between the structural panel 38 and the tab 48, insuring that the tab 48 cannot be stressed by the downward pressure on the closure 10.

Through the use of the term “structural”, Applicant respectfully contends that the term implies rigid or fixed. On the other hand, if this “structural” support layer 38 were flexible, then the layer could not act as protection for the retaining mechanism 48. It could no longer act as a point of support for the retaining mechanism, making easier its rupture by a cantilevered effect when a pressure is exerted on the panel 10 by the air bag when it is inflated. Additionally, and furthermore, the support layer 38 is not located in the area of the hinge as is the “flap of flexible material” of the present invention, as claimed in independent Claims 17 and 20. The support layer 38 is located in the area of the brittle line of the panel 10 and not in the area of the hinge.

The combination of the Rhodes patent and the DiSalvo patent would lead to a device that is quite different from the present invention. In some way, the structural support 38 would have to be integrated with the air bag device of the Rhodes patent. Applicant’s attorney has great difficulty seeing how such a structural support 38 can be “a flap of flexible material integrally formed with and

extending from one edge of said body". Applicant respectfully contends that the combination of the structure of the DiSalvo patent with that of the Rhodes patent can only be a "hindsight" reconstruction in an effort to "make obvious" the claims of the present invention. One having ordinary skill in the art would be completely mystified how the structural support 38 could, in any way, be incorporated with the structure of the Rhodes patent so as to provide this "flap of flexible material integrally formed with and extending from said one edge of said body".

The prior art Tyerman patent relates to a process for manufacturing a protective covering material to cover decorative objects and pieces of furniture. Applicant respectfully contends that the Tyerman is from a field of art that is completely different and far removed from that of the present invention. One having ordinary skill in the art would never have occasion to look for protective furniture covering for the purpose of developing the structure of the present invention. In the Tyerman patent, a high-density thermoformable synthetic material is used as a support of the protective covering material. In contrast to the present invention, the support is not comprised of a synthetic thermoformable synthetic "cellular" material. The use of such a high-density material would be contrary to the objective of the present invention, which is to obtain a lightweight door. This lightweight door is, preferably, comprised of a resistant material having a low density. Applicant respectfully contends that the combination of the Rhodes patent, with the teaching of the DiSalvo and the Tyerman patent, could not, in any way, disclose the structure of the present invention as defined by present Claims 17 and 20.

Applicant notes that over thirteen (13) references have already be cited an the prosecution of the present application in order to deny the allowance of the present application. Applicant

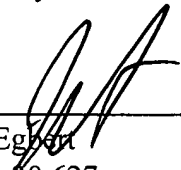
respectfully contends that this over abundance of documents is further an indication of the non-obviousness of the present invention.

Based upon the foregoing analysis, Applicant contends that independent Claims 17 and 20 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and allowance of the present claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

Date

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